

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BUILDING TRADES UNITED PENSION TRUST FUND
NACARCI FEASTER,
PLUMBERS LOCAL 75 HEALTH FUND,
PLUMBERS LOCAL 75 APPRENTICESHIP TRAINING FUND,
STEVE BREITLOW, and
PLUMBERS LOCAL UNION 75,

Plaintiffs,

v.

Case No. 09-CV-859

A.S.K. PLUMBING, INC., and
DANIEL KAMINSKI,

Defendants.

**ORDER FOR JUDGMENT AGAINST
DEFENDANT DANIEL KAMINSKI**

A request and application for default judgment against defendant Daniel Kaminski brought by Plumbers Local Union 75 in the above-captioned action were submitted to the Court and filed with the clerk.

The Court, having duly heard all issues and a decision having been duly rendered, finds as follows:

1. Defendant Daniel Kaminski has failed to plead or otherwise defend as provided by Rule 55(a) of the Fed. R. Civ. P.
2. Daniel Kaminski violated the Labor-Management Relations Act of 1947, as amended, by failing to pay working dues to the plaintiff Plumbers Local Union 75,

said contributions having been deducted from A.S.K. Plumbing, Inc.'s employees' paychecks.

3. Daniel Kaminski has intentionally retained working dues with the intent to convert said monies for his own use or for the use of A.S.K. Plumbing, Inc.

4. By his intentional conduct, by virtue of his position as a shareholder, corporate officer and/or director of A.S.K. Plumbing, Inc., Daniel Kaminski has retained possession of working dues without the Union's consent.

5. The court assesses the total damages in favor of plaintiff Plumbers Local Union 75 and against defendant Daniel Kaminski in the sum of \$35.78 for dues outstanding for the audit period June and July 2008, as well as attorney fees and costs incurred in their prosecution of this matter.

6. By virtue of his conduct, Daniel Kaminski has violated Wis. Stats. §§ 895.446 and 943.20.

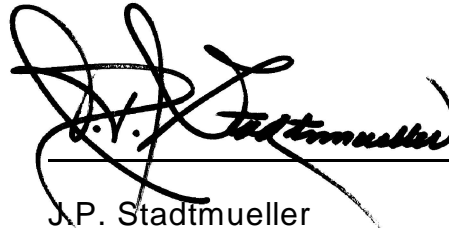
7. By virtue of his intentional conduct, the Union is entitled to its costs of litigation and investigation as well as treble damages pursuant to Wis. Stats. §895.446(3)(b), (c).

8. The court assesses the total treble damages in favor of plaintiff Plumbers Local Union 75 and against defendant Daniel Kaminski in the sum of \$107.34.

IT IS HEREBY ORDERED that the Clerk of Court is directed to enter judgment in favor of plaintiff Plumbers Local Union 75 and against defendant Daniel Kaminski in the amount of \$107.34 for plaintiff's working dues together with interest at the rate allowed by law, plus the attorney's fees and costs incurred in the prosecution of this matter.

Dated at Milwaukee, Wisconsin, this 2nd day of December, 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line. The signature is stylized with large, sweeping loops.

J.P. Stadtmueller
U.S. District Judge